HON'BLE SRI G.S.SINGHVI, THE CHIEF JUSTICE

and

HON'BLE SRI JUSTICE G.BHAVANI PRASAD

W.A.NO.374 OF 2005

-

Between:

Kalam Maruthi Siva Prasadarao

..... Appellant

AND

The Nagarjuna University rep. by its Registrar,

Nagarjuna Nagar, Guntur, Guntur District.

and 2 others

.....Respondents

::JUDGMENT::

Counsel for the Appellant : Sri Kasa Jaganmohan Reddy

Counsel for Respondents : Sri T.S.Harinath

Dated 24-2-2006

Per Sri G.S.Singhvi, CJ

This appeal is directed against order dated 18.1.2005 passed by the learned Single Judge whereby he disposed of the writ petition filed by the appellant by granting him liberty to make appropriate application to the University to consider his case for extending the benefit under Notification dated 10-12-2002 with a further direction that the same be considered and appropriate order passed in accordance with law within next four weeks.

Arguments in this case were heard on different dates. On 6.1.2006, the Court had passed the following order.

> "Heard learned counsel for the parties at length and perused the record.

> Without going into the legalities of the issue arising in the appeal, but keeping in view the fact that the appellant has passed the papers of M.Sc Part-II examination, in which he had appeared pursuant to the interim order passed by this Court, and, the fact that the University had itself taken decision to give additional chance to the candidates of post-graduate courses of the years 1994-1998 to clear the backlog papers, we feel that ends of justice would be met if the appellant makes a representation to the Vice-Chancellor to consider his case sympathetically and order declaration of result without treating it as a precedent for other cases and for future and such representation is decided by the Vice-Chancellor without being influenced by the fact that the petitioner has been litigating before the Court.
>
> Sri T.S.Harnath, learned counsel for the University graciously says that he would give proper advice to the University in the matter.
>
> Adjourned to February 2, 2006."

On 2.2.2006, Sri T.S.Harinath, learned advocate for the University had brought to the notice of the Court that there was delay on the part of the appellant to submit the representation.

Today, Sri Harinath stated that the representation made by the appellant has been accepted and the University has declared his result and also issued Provisional Pass Certificate.

While appreciating the effort made by the learned counsel for the University in becoming a partner in the dispensation of justice, we close the proceedings of this case and dispose of the appeal as infructuous with the observation that the appellant shall now be free to make a representation to the University for awarding the degree to him.

As a sequel to this, all the miscellaneous petitions are disposed of as infructuous.

G.S.SINGHVI, CJ

Dt.24.2.2006

G.BHAVANI PRASAD,J

Msv / svs